

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,
v.
LEOMIA DARLING,
Defendant.

Case No. 16-cr-0126 EJD (NC)

DETENTION ORDER

Hearings: Oct. 17 and 28, 2019

In accordance with the Bail Reform Act, 18 U.S.C. § 3142, the Court on October 17 and 28, 2019, held hearings to determine detention or release on supervisory conditions for defendant Leomia Darling. She is charged in this case with violating the terms of her supervised release. The defendant appeared at the hearings with her appointed CJA counsel Bruce Funk.

Under Fed. R. Crim. P. 32.1(a)(6) and 18 U.S.C. §3143(a), the defendant charged with violation of supervised release has the burden of establishing by “clear and convincing evidence” that he or she will not flee or pose a danger to any other person or to the community. Here, Darling did not establish evidence to overcome this burden. Consequently, the Court orders the defendant to be detained.

The defendant is committed to the custody of the Attorney General or his designated

1 representative for confinement in a corrections facility separate, to the extent practicable,
2 from persons awaiting or serving sentences or being held in custody pending appeal. The
3 defendant must be afforded a reasonable opportunity for private consultation with defense
4 counsel. On order of a court of the United States or on the request of an attorney for the
5 Government, the person in charge of the corrections facility must deliver the defendant to a
6 United States Marshal for the purpose of an appearance in connection with a court
7 proceeding.

8 IT IS SO ORDERED.

9 Date: October 28, 2019



10 Nathanael M. Cousins
11 United States Magistrate Judge

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